

EXHIBIT DD

**CERTIFIED
COPY**

In The Matter Of:

*Allan Chiocca v. THE TOWN OF ROCKLAND,
DEIRDRE HALL, EDWARD KIMBALL, LARRY
RYAN, MICHAEL MULLEN JR., MICHAEL
O'LOUGHLIN, RICHARD PENNEY AND KARA
NYMAN,*

Marcia Birmingham

July 21, 2021

*A Plus Reporting Service LLC
55 Whiting Street, Suite 1A
Plainville, CT 06062
203.269.9976*

1 BY MS. DUNN:

2 Q Why did you feel that Ms. Hall was
3 intoxicated after watching the footage?

4 A She was uneven in her gait and leaning
5 heavily into Mr. Chiocca at times.

6 Q Did it look like at any point that
7 Mr. Chiocca was intoxicated?

8 A Again, this is just my opinion. He
9 appeared disheveled, loosened tie and -- but he was
10 not -- he wasn't unsteady on his feet from what I
11 remember of the video.

12 Q Did it look as though he was being held
13 against his will?

14 A No, it did not.

15 Q Were you concerned after watching the
16 video?

17 MR. SHAFRAN: Objection.

18 A Yes, I was concerned after watching the
19 video.

20 BY MS. DUNN:

21 Q Why were you concerned?

22 A I was concerned because it seemed
23 inconceivable to me that this had even happened. I
24 had worked for Mr. Chiocca for four years and was
25 upset and dismayed that they were behaving the way

1 administrator.

2 Q So, based on your understanding --
3 actually, strike that.

4 Are you aware that Deirde Hall told
5 Mr. Kimball that something had happened on May 1st?

6 A I'm only aware what Mr. Kimball would have
7 shared later.

8 Q Do you recall what he shared with you?

9 A I wish I could recall more details. It's
10 been just over two years now. I know that
11 Mr. Kimball felt like Ms. Hall had been taken
12 advantage of.

13 Q And because of that, because he felt that
14 Ms. Hall had been taken advantage of, he did express
15 to you that he was concerned about, you know, what
16 had happened and folks' safety? Excuse me,
17 employees' safety?

18 A He didn't -- to my best remembrance, he
19 didn't share verbally about concern for employees'
20 safety. He was very upset and angry about the
21 incident that had occurred and felt strongly that
22 Mr. Chiocca should not come back to work.

23 Q So, at this point, who do you think it
24 would have been appropriate for Mr. Hall to bring
25 her concern to in regards to May 1st?


1 STATE OF CONNECTICUT:
2 : ss: Bristol
3 COUNTY OF HARTFORD :

4 I, Karen Vibert, LSR No. 00064, a Notary Public
5 for the State of Connecticut, do hereby certify that
6 the deposition of MARCIA BIRMINGHAM, a witness, was
7 taken before me pursuant to Notice, held remotely for
8 all participants, commencing at 10:55 a.m., on
9 July 21, 2021.

10 I further certify that the witness was first sworn
11 by me to tell the truth, the whole truth, and nothing
12 but the truth, and was examined by counsel, and his/her
13 testimony stenographically recorded by me and
14 subsequently transcribed, to the best of my ability, as
15 here before appears.

16 I further certify that I am not related to the
17 parties hereto or their counsel, and that I am not in
18 any way interested in the event of said cause.

19 Dated at Bristol, Connecticut, this 3rd day of
20 August, 2021.

21
22
23 
24 _____
25 Karen Vibert, Notary Public
My commission expires: 08/31/2024.